

THE SENATE COMMITTEE ON THE INSANE ASYLUMS OF NEW YORK.

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ON March 6, 1882, a select committee of the Senate, appointed two years before, presented their report on the management of the State lunatic asylums. It was ordered printed, and its publication in full may be expected, after the usual delay of some weeks or months in the hands of the State printer. But its conclusions have already been given to the public through the daily press, and have therefore become a proper subject of comment in this JOURNAL. Such comment seems indeed to be called for at this time, as no bill for carrying into effect the recommendations of the committee has yet been prepared.

The report is introduced by the following statements:

“On March 30, 1879, a petition was presented to the Legislature in which charges of mal-administration were made against the various lunatic asylums of the State and against the State Commissioner in Lunacy. The matter was referred to the Committee on Public Health. That committee made its report on May 22d in that year. The investigation made by that committee and their report based thereon were made the subject of comment and criticism by the New York Neurological Society—a society numbering among its members some of the most eminent men in the medical profession in the city of New York, who, in January, 1880, published an answer, in which it was claimed that

the report of said committee was unjust, *ex-parte*, and untruthful, and said charges were therein reiterated. The action of this society was widely circulated, the effect being to create a general feeling of distrust in the public mind as to the management of the lunatic asylums of the State, and a demand for further investigation was pressed upon the attention of the Legislature, and in pursuance of said demand this committee was appointed.

"The committee have visited most of the lunatic asylums of the State, and have examined as witnesses superintendents of asylums, attendants, trustees, managers, medical experts not connected with asylums, patients confined therein, the State Commissioner in Lunacy, and whomever they thought might be able to throw light on the matters under investigation. As their labors progressed new and additional subjects of inquiry unfolded themselves, so that your committee have not limited their examination to the specific charges made, but have attempted to go over the whole field of lunacy administration."

The field which the committee have undertaken to explore is in truth an extensive and difficult one, but we judge from the clear and intelligent conclusions which have been reached, that their work has been thoroughly done. It is plain, from the paragraphs above quoted, that the claims of certain officials and State institutions to be beyond the proper sphere of investigation by such a committee, have not been recognized. In the sham investigation by the Committee on Public Health, in 1879, it was held by Dr. Ordonaux, State Commissioner in Lunacy, that the managers of asylums "having franchises given them for the purpose of acting in official capacities, there is no proper ground upon which the Legislature can intervene, so long as laws can be found to redress alleged wrongs" to the insane and the public. And Dr. Gray, superintendent of the Utica asylum, in his plea for non-supervision at the meeting of asylum superintendents in Toronto last year,¹ maintained that these managers "are charged with the complete government, inspection, and visitation of asy-

¹ *Am. Journal of Insanity*, vol. xxxviii, p. 217.

lums." It is probably upon this theory of each asylum as an independent and coördinate branch of the State government, that a detailed account of the expenditures of the Utica institution has been so persistently refused to the Governor and the State Board of Charities. But such an interpretation of the law organizing the State asylums does not seem warranted. The statute declares, simply, that the managers "shall maintain an effective supervision of the asylum"; and the proof that they have wholly failed in this duty has become so clear to the Senate Committee as to convince them that "the first great need of our State is the appointment of a lunacy commission, consisting of three or more persons specially fitted for such an important trust," after the model of the English Commissioners in Lunacy.

This commission, "the creation of which we recommend," say the Committee, "should be given ample powers to look after the interests of the State in the matter of expenditures, and to protect the patient in the matter of physical care, with full powers to redress all grievances and remedy whatever wrong they may discover."

In this scheme of a new commission, with important functions and ample powers, no mention is made of the present office of commissioner in lunacy. But that it was devised by the asylum ring to neutralize the efforts of the State Board of Charities in the direction of asylum reform, is well understood. It is also well known that Dr. Ordronaux was formerly employed by the Utica asylum as a writer, and was appointed to his office mainly through the influence of Dr. Gray, its superintendent. How well he has done what was expected of him, in defending the asylums against investigation, appears from the notorious proceedings at the Bloomingdale and Buffalo institutions. But the fact is—as the history of the Tarbell case, presently to be

given, will prove—that the asylums, with large sums of public money and powerful political agencies at their command, have really no need of a special commission to shield them from public inquiry. The necessity of a lunacy commission in this State is, however, denied by Dr. Gray on the ground that “the boards of managers of our asylums represent the same power” as that now exercised by the English Commissioners in Lunacy.¹ In these local boards, he declares, “we have a body of asylum inspectors equal to all our needs.” But there is too much reason to believe that it is to the “needs” of asylum managers and officials, rather than their patients, that these managers are equal. In support of the conclusion of the Senate Committee, that “to protect the patient in the matter of physical care” some other form of supervision is imperatively demanded, the following history is condensed from a public document within reach of every one :

Norris Tarbell, a wagon-maker, aged 32, living in Brookfield, Madison Co., N. Y., became insane while at a public auction, Nov. 22, 1859, and continued to have frequent paroxysms of mania, alternating with periods of “quiet and rational behavior.” In one of these paroxysms, on the morning of Nov. 24th, he was unusually violent, and was restrained with some difficulty. It was afterward claimed that in this struggle Tarbell received eleven fractures of the ribs and sternum and a penetrating wound of the lung, causing his death on the 11th of December following. But it is not disputed that no evidence, rational or physical, of such injuries was manifested during the next eight days. The history shows that Tarbell became calm and rational soon after he was bound, and complained of nothing except a slight scratch on one finger. He was seen by numerous relatives and neighbors and by three physicians on

¹ *Am. Journal of Insanity*, vol. xxxviii, p. 217.

that day, and no other injury was suspected. The next morning, after a comfortable night, he changed his shirt without help, and pulled on a pair of tight boots with such force as to break the straps. On the same day he was taken in a wagon, over rough roads, twenty-two miles in two and a half hours, to the Utica Asylum. He was there examined by an assistant physician, to whom a history of the case was given by a brother and two neighbors. Still, nothing appeared to excite the suspicion of any one that Tarbell was suffering from any physical illness or disability. No bruise or other mark of injury was found on his person by the attendants in bathing him. He was placed at once in a crib or covered-bed, which he never left, except at times for a few moments, until the day before his death, sixteen days later.

On the 1st day of December, Tarbell had a violent contest with two attendants, which suggested no doubt of his physical soundness and strength. This was not reported to his physician until the next day, when he was found greatly exhausted, with difficult respiration, suppressed cough, and fetid breath. His attendant attributed this condition to "a fit in the night" previous. His case was diagnosed as pneumonia and gangrene of the lungs, but on account of his restlessness no physical examination of the chest was made until Dec. 10th, the day before his death. On that day he declared to his wife and brother that he had been abused by the attendants, and was "all stove in." Post-mortem examination revealed fractures of the sternum and seven ribs. Three of the ribs were each fractured in two places, and at one point a broken rib had penetrated the lung.

No coroner was notified of Tarbell's death by the asylum officials, but after the removal of his body to Brookfield an inquest was held, and the jury found that he "came to his

death by injuries received at the hands of the attendants and employés of the asylum." Soon afterward, a memorial was presented to the Legislature by the foreman of the jury, Dr. A. L. Saunders (late vice-president of the State Medical Society) and others, asking for an investigation. Accordingly, a committee of the Assembly was appointed to take evidence and report. The inquiry which followed was fairly and carefully made, although strong influences, political and medical, were brought to bear upon the committee in favor of the asylum. As already stated, the managers held that Tarbell's injuries were received in the struggle of November 24th, at the hands of his family and friends. But the hypothesis that this terrible crushing in of the thorax was done eight days before the first symptoms of illness or physical disability manifested themselves, is wholly forbidden by the principles of medical science, as it is by the facts testified to in the case. Surely, we should find it less difficult to believe that President Garfield might have proceeded for eight days on his journey after he was shot without suspecting he had been touched by the assassin's bullet. Under ordinary conditions, it is certain that twenty-four hours could not have passed after Tarbell's injuries were received without the appearance of the grave symptoms presented by him on December 2d. Nor was it possible for Dr. Gray to bring the slightest evidence to the support of his theory that all physical disability was prevented, and all morbid action at the seat of the injury delayed for eight days, in this case, by reason of the insanity. To suppose, indeed, that insanity *per se* has any thing more to do with the mechanical action of the muscles upon the skeleton, or with the laws of inflammation after injuries, than with the laws of gravitation or chemical affinity, is wholly impossible.

The committee were not able to arrive at any positive

and unanimous conclusions in the case, although the belief that Tarbell's injuries were inflicted at the asylum is plainly shown in their report. As the report was presented only a day or two before the close of the session, it was ordered printed, with the testimony, for the use of the next Legislature. But this purpose of the Assembly was thought contrary to the interests of the managers, and a bold expedient was adopted to prevent it. By collusion with the public printer or his employés, all the pamphlet copies of the report were sent to the asylum, where they were carefully kept from the public, and the Tarbell inquiry was finally ended. The report is preserved, however, in the volume of Assembly Documents for 1860 (No. 43), where it may still serve as a pregnant text for the advocates of asylum supervision and reform.

A single case like that of Tarbell is sufficient to prove not only the need of some supervision of asylums, but of a better system of management and administration for them. The radical fault of the present system is, that while built and supported by the State these institutions are left wholly in the hands of local managers. In the address before referred to, Dr. Gray declares that the asylums of Great Britain are "all on the order of local self-government," and that in this country, also, "people can be found in every part of every State quite competent to manage their local affairs and to guard the interests and rights of their citizens, whether sane or insane." But the truth is that the English Commissioners in Lunacy represent an intelligent and impartial public opinion, permanently organized, which is practically supreme in its control of insane asylums. Moreover, the asylums of England are supported by the counties in which they are situated, and their managers are always among the largest tax-payers who contribute to this support. Our asylums, on the contrary, derive their revenues from State or other

non-local sources chiefly, while their managers are local politicians, to whom the asylum represents merely so much patronage or profit, for themselves or their constituents. That most of these gentlemen may be safely trusted to manage the savings banks and other charitable institutions of their town or county honestly and efficiently, may be readily admitted. But as local politicians they are constantly reminded that the chief end of a State institution is to draw the largest possible sums of money from the State treasury, for the benefit of local interests. From this point of view, their first duty is to defend the asylum against all criticism and investigation, and they forget that annual appropriations are mere trash compared with the good name, the liberty, and the life, even, of the unfortunates committed to their charge.

The second important function of the lunacy commission recommended by the committee is, "to look after the interests of the State in the matter of expenditure." And this duty is of far greater moment than the mere saving of State funds to the amount of some hundreds of thousands of dollars a year. It cannot be too strongly insisted upon that honesty and economy in the management of asylums lie at the very foundation of all reform in the treatment of the insane. Every one must admit that to prevent the neglect and abuse to which insane patients are so peculiarly exposed, the best and most unremitting efforts of managers and resident officers are absolutely necessary. It goes without saying, that where official energy is mainly directed to lobbying for appropriations from the State treasury, and devising modes of expending them, the insane will be neglected. Nor will it be doubted that where these expenditures are enormously excessive, while the greater part of this excess is concealed by false accounts, other and more serious abuses must prevail.

It is, then, with good reason that the friends of asylum reform have insisted that honesty and economy should be

shown in the plainest manner in the financial reports of asylums. In the second volume of this JOURNAL (p. 781), Dr. Bucknill, the well-known English authority, is quoted as expressing his astonishment at "the difference in the weekly cost of maintenance between \$4.50 at the asylum for the State of New York [Utica], and of \$1.30 at the asylum for the city of New York." In seeking an explanation of this difference, it was found that the true weekly cost of maintenance at the Utica Asylum in 1874 was \$7.18, instead of \$4.50, as Dr. Bucknill had been told. It appeared, also, that this weekly cost had been reported to the State Board of Charities as \$5.42, and that to support this fiction \$55,602 had been stricken out of the ordinary expenditures of the year. Here was either a gross error or an attempt of the managers to conceal their enormous expenditures from the public. For whether these expenditures are, in round numbers, \$200,000 yearly, as reported to the Legislature, or \$100,000, as they would be at the rates of the model State Asylum at Northampton, Mass., such figures give no definite idea of economy or extravagance in management. It is only when the weekly or yearly cost per patient is given, that the financial returns of an asylum have any real meaning to non-experts in accounts.

At this point we are reminded that in his testimony before the Senate Committee on Public Health, in 1879,¹ Dr. Ordronaux says: "Whenever the asylums make reports their reports are *prima facie* evidence of their workings." But it must be held that *prima facie* evidence should not be a sufficient proof of facts to a State official who is paid \$5,000 yearly to study and report upon those facts. An easy examination of the reports of the Utica asylum, shows that the weekly cost per patient has always been omitted from them, and the data for calculating it studiously dis-

¹ Report of Committee on Public Health relative to Lunatic Asylums, p. 8.

guised. Again, comparing these reports with those of the State Board of Charities, we find that when it became necessary, in 1868, for the Utica managers to return a weekly cost to the State Board, an incorrect statement was prepared and sent; and further, that such misrepresentation has been repeated each year since that time, in a manner to indicate a deliberate purpose to deceive the Legislature and the public. Nor are the sums thus concealed, amounting to nearly \$50,000 per year for the last twelve years, included in the extraordinary expenditures of the asylum, which are at least ten times greater than those of Northampton for the same purposes. It may be remarked that an English asylum whose returns should show an excess of sixpence per week over its ordinary cost per patient, or over the average cost of asylums of the same grade, is forced to give the Lunacy Commissioners a detailed and satisfactory account of this excess, for publication in their annual report. But the duties and powers of the English Commissioners in Lunacy were not fixed by the asylum superintendents, nor was the personnel of the Commission left wholly to their choice.

We cannot suppose that the flagrant "cooking" of asylum accounts above described has entirely escaped the notice of our State Board of Charities, and this fact may help to explain the request made to the Utica managers to furnish a detailed statement of their expenditures. And it is perhaps because such a statement would inevitably convict them of the deception which they have practised for so many years, that this request has been persistently refused, in defiance of law and of official courtesy.

There are many other points in the report of the Senate Committee which offer excellent material for quotation and comment. These, however, need not be touched upon in the present paper, the object of which is simply to enforce the argument for a lunacy commission as a prime necessity to reform in the care of the insane of this State.